

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES

v.

KINGSLEY R. CHIN and
ADITYA HUMAD,
Defendants.

No. 1:21-cr-10256-IT

**DEFENDANTS' REQUESTED
VOIR DIRE OF PROSPECTIVE JURORS**

Defendants, Kingsley Chin and Aditya Humad, respectfully request, pursuant to Fed. R. Crim. P. 24(a), in an effort to obtain a fair and impartial jury, that this Court ask the following questions of the venire and permit follow-up with individual questioning where warranted based on prospective jurors' answers.

1. The defendants are charged with conspiring to bribe and bribing doctors to use products from a company called SpineFrontier in health care services reimbursed in whole or in part by Federal health care programs.

- a. Do you know any of the parties or witnesses in this case [read list]?
- b. Have you heard or read anything about this case? Where/when?
- c. Do you have any personal knowledge of the facts or charges in this case?
- d. Do you have any opinions about or reactions to the allegations that might make it difficult for you to be fair and impartial in this case?

2. Do you or does anyone close to you have medical training, for example, as a doctor, nurse, physician's assistant, or medical technician?

3. Do you or does anyone close to you have training as an engineer or technician in the field of medical device design or manufacturing?

4. Have you or anyone close to you worked in a medical office, medical device or supply manufacturer/distributor, or pharmaceutical manufacturer/distributor?

5. Have you or anyone close to you worked in the field of medical device sales or pharmaceutical sales?

6. Do you have any opinions about medical device or pharmaceutical manufacturers, distributors, salespeople, or sales practices that might make it difficult for you to be fair and impartial in this case?

7. Have you or anyone close to you had any experience with salespeople that leads you to have a strong view about the credibility or lack of credibility of salespeople?

8. Do you have any opinions about surgeons or other types of doctors that might make it difficult for you to be fair and impartial in this case?

9. Have you or anyone close to you had any experience with doctors that leads you to have a strong view about the credibility or lack of credibility of doctors?

10. Do you have any opinions about private company involvement in health care services or products that might make it difficult for you to be fair and impartial in this case?

11. Have you or anyone close to you had spinal surgery?

12. Have you or anyone close to you had any surgery that you believe was not performed well or that caused any unexpected health problems?

13. Do you have any opinions or feelings about people of Jamaican, South Asian, Middle Eastern, or African American descent that might make it difficult for you to be fair and

impartial in this case?

14. Do you have any opinions or feelings about immigrants that might make it difficult for you to be fair and impartial in this case?

15. During the past 10 years, have any of you served on a jury or been excluded from a jury? Was the case civil or criminal? Without saying the outcome, did the jury reach a verdict? Will you be able to put aside your prior jury experience as you sit in this case, ignore completely anything you learned about the law, and decide this case solely on the basis of the evidence that I admit during this trial and on the law as I instruct you in it?

16. Have you, or has anyone close to you, been a party to any court case, whether civil or criminal? If so, who (you or someone close to you) was the party to the case? Was the person a plaintiff or a defendant? What was the nature of the case? Was it tried or settled? What was the outcome? Is there anything about that experience that causes you to be unsure about your ability to decide this case fairly and impartially, and only on the basis of the evidence I admit during this trial and the law as I instruct you on it?

17. Have any of you ever been a witness in state or federal court in any case, whether civil or criminal? For which side did you testify? What was the nature of the case? Is there anything about that experience that causes you to be unsure about your ability to decide this case fairly and impartially, and only on the basis of the evidence I admit during this trial and the law as I instruct you in it?

18. This case will likely involve testimony by certain law enforcement agents. Do you believe that you can impartially assess the testimony of law enforcement personnel, without giving their testimony any more or less weight than any other witness based solely on their

positions as law enforcement agents?

19. Have you, or has anyone close to you, attended law school or had other training in the law? If so, can you put aside whatever knowledge of the law you may have acquired before today, and will you promise to apply only those legal principles in which I instruct you to the evidence in this case?

20. Have you, or has anyone close to you, ever worked for any local, state, or federal law enforcement agency or prosecutor's office? If so, which agency? When? Where? What was the position? Have any of you ever had any particular experience with the FBI, Department of Health and Human Services, or US Attorney's Office that may affect your ability to be fair and impartial in this case?

21. Have any of you, or has anyone close to you, ever been arrested or charged with a crime? If so, who was arrested or charged? Were you, or the person involved, prosecuted in a court of law? Was the case tried or settled? What was the outcome? How do you feel you, or the person involved, were treated, either by the police or anyone you or they dealt with afterwards?

22. It is the duty of a juror to listen to the opinions and points of view of other members of the jury. By the same token, it is also the duty of a juror to express opinions or points of view regarding the evidence to other members of the jury. Would you feel any reluctance in joining the discussion with the other members of the jury during deliberations? Would you feel offended if other members of the jury disagreed with your view of the evidence? Might you feel unable to listen to a fellow juror who disagreed with you?

23. Have any newspaper articles, books, television reports, or media coverage about crime affected you in a way which might make it difficult for you to decide this case solely upon

the evidence produced during the trial?

24. An indictment is the formal way by which the government brings accusations against an individual before the court. It is not evidence of guilt. Nevertheless, do you have any opinions about the guilt or innocence of Dr. Chin or Mr. Humad based on the fact that they have been charged with crimes?

25. Dr. Chin and Mr. Humad are presumed innocent unless the government proves to each member of the jury that he is guilty beyond a reasonable doubt. Do you question or doubt your ability to accept the presumption of innocence? Do you question or doubt your ability to hold the government to its burden of proof? Might you have some hesitation in finding Dr. Chin or Mr. Hudad “not guilty” if you felt the government had probably proven its case but were not convinced beyond a reasonable doubt?

26. Dr. Chin and Mr. Humad have no obligation to prove their innocence. They are not required to testify or to call any witnesses. Nevertheless, do you think that a person who is not guilty should testify or should present witnesses to prove his innocence? Would you be skeptical about the innocence of a person who did not testify for himself?

27. Have you, or has anyone close to you, ever been a victim of or a witness to any crime? What was the crime? Do you think that experience might affect your ability to decide this case fairly and impartially?

Respectfully submitted,

KINGSLEY CHIN

By his attorneys,

/s/ Joshua Solomon

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Certificate of Service

I, William W. Fick, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on February 18, 2025.

/s/ William W. Fick